

**ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE**

May 12, 2021

3:45 p.m.

MEMBERS PRESENT

Senator Joshua Revak, Chair
Senator Peter Micciche, Vice Chair
Senator Gary Stevens
Senator Jesse Kiehl
Senator Scott Kawasaki

MEMBERS ABSENT

Senator Click Bishop
Senator Natasha von Imhof

COMMITTEE CALENDAR

HOUSE BILL NO. 10

"An Act relating to the Funter Bay marine park unit of the state park system; relating to protection of the social and historical significance of the Unangax cemetery located in Funter Bay; providing for the amendment of the management plan for the Funter Bay marine park unit; and providing for an effective date."

- MOVED HB 10 OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 41(FIN)

"An Act relating to management of enhanced stocks of shellfish; authorizing certain nonprofit organizations to engage in shellfish enhancement projects; relating to application fees for salmon hatchery permits and shellfish enhancement project permits; relating to the marketing of aquatic farm products by the Alaska Seafood Marketing Institute; and providing for an effective date."

- MOVED CSHB 41(FIN) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 80(FSH)

"An Act establishing the sport fishing enhancement account; establishing the sport fishing enhancement surcharge; and providing for an effective date."

- MOVED CSHB 80 (FSH) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 10

SHORT TITLE: FUNTER BAY MARINE PARK: UNANGAN CEMETERY

SPONSOR(S): REPRESENTATIVE(S) HANNAN

02/18/21	(H)	PREFILE RELEASED 1/8/21
02/18/21	(H)	READ THE FIRST TIME - REFERRALS
02/18/21	(H)	RES, FIN
02/24/21	(H)	TRB REPLACES FIN REFERRAL
02/24/21	(H)	BILL REPRINTED
03/01/21	(H)	RES AT 1:00 PM BARNES 124
03/01/21	(H)	-- MEETING CANCELED --
03/03/21	(H)	RES REFERRAL MOVED TO AFTER TRB
03/03/21	(H)	BILL REPRINTED
03/09/21	(H)	TRB AT 8:00 AM DAVIS 106
03/09/21	(H)	Heard & Held
03/09/21	(H)	MINUTE(TRB)
03/11/21	(H)	TRB AT 8:00 AM DAVIS 106
03/11/21	(H)	Moved HB 10 Out of Committee
03/11/21	(H)	MINUTE(TRB)
03/12/21	(H)	TRB RPT 4DP
03/12/21	(H)	DP: FIELDS, ORTIZ, CRONK, ZULKOSKY
03/26/21	(H)	RES AT 1:00 PM BARNES 124
03/26/21	(H)	Heard & Held
03/26/21	(H)	MINUTE(RES)
03/31/21	(H)	RES AT 1:00 PM BARNES 124
03/31/21	(H)	Moved HB 10 Out of Committee
03/31/21	(H)	MINUTE(RES)
04/05/21	(H)	RES RPT 7DP 2NR
04/05/21	(H)	DP: MCKAY, FIELDS, CRONK, HOPKINS, HANNAN, SCHRAGE, PATKOTAK
04/05/21	(H)	NR: RAUSCHER, GILLHAM
04/09/21	(H)	TRANSMITTED TO (S)
04/09/21	(H)	VERSION: HB 10
04/12/21	(S)	READ THE FIRST TIME - REFERRALS
04/12/21	(S)	CRA, RES
04/23/21	(S)	RES AT 3:30 PM BUTROVICH 205
04/23/21	(S)	<Pending Referral>
04/27/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
04/27/21	(S)	Heard & Held
04/27/21	(S)	MINUTE(CRA)
05/06/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/06/21	(S)	Moved HB 10 Out of Committee

05/06/21 (S) MINUTE (CRA)
 05/07/21 (S) CRA RPT 2DP 2NR
 05/07/21 (S) DP: HUGHES, GRAY-JACKSON
 05/07/21 (S) NR: MYERS, WILSON
 05/12/21 (S) RES AT 3:30 PM BUTROVICH 205

BILL: HB 41

SHORT TITLE: SHELLFISH PROJECTS; HATCHERIES; FEES
 SPONSOR(s): REPRESENTATIVE(s) ORTIZ

02/18/21 (H) PREFILE RELEASED 1/8/21
 02/18/21 (H) READ THE FIRST TIME - REFERRALS
 02/18/21 (H) FSH, FIN
 03/25/21 (H) FSH AT 10:30 AM GRUENBERG 120
 03/25/21 (H) -- MEETING CANCELED --
 03/30/21 (H) FSH AT 10:00 AM GRUENBERG 120
 03/30/21 (H) Moved HB 41 Out of Committee
 03/30/21 (H) MINUTE (FSH)
 03/31/21 (H) FSH RPT 3DP 2NR
 03/31/21 (H) DP: STORY, ORTIZ, TARR
 03/31/21 (H) NR: MCCABE, KREISS-TOMKINS
 04/21/21 (H) FIN AT 1:30 PM ADAMS 519
 04/21/21 (H) Heard & Held
 04/21/21 (H) MINUTE (FIN)
 04/26/21 (H) FIN AT 1:30 PM ADAMS 519
 04/26/21 (H) Moved CSHB 41 (FIN) Out of Committee
 04/26/21 (H) MINUTE (FIN)
 04/28/21 (H) FIN RPT CS (FIN) NT 9DP 2NR
 04/28/21 (H) DP: ORTIZ, EDGMON, LEBON, CARPENTER,
 JOSEPHSON, WOOL, THOMPSON, MERRICK,
 04/28/21 (H) FOSTER
 04/28/21 (H) NR: JOHNSON, RASMUSSEN
 04/30/21 (H) MOTION TO DIVIDE QUESTION FAILED Y13
 N26 E1
 04/30/21 (H) TRANSMITTED TO (S)
 04/30/21 (H) VERSION: CSHB 41 (FIN)
 05/03/21 (S) READ THE FIRST TIME - REFERRALS
 05/03/21 (S) RES
 05/12/21 (S) RES AT 3:30 PM BUTROVICH 205

BILL: HB 80

SHORT TITLE: SPT FSH HATCHERY FACIL ACCT; SURCHARGE
 SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/18/21 (H) READ THE FIRST TIME - REFERRALS
 02/18/21 (H) FSH, FIN
 02/23/21 (H) FSH AT 10:00 AM GRUENBERG 120

02/23/21	(H)	Heard & Held
02/23/21	(H)	MINUTE(FSH)
02/25/21	(H)	FSH AT 10:00 AM GRUENBERG 120
02/25/21	(H)	-- Public Testimony --
03/02/21	(H)	FSH AT 10:00 AM GRUENBERG 120
03/02/21	(H)	Heard & Held
03/02/21	(H)	MINUTE(FSH)
03/04/21	(H)	FSH AT 11:00 AM GRUENBERG 120
03/04/21	(H)	Heard & Held
03/04/21	(H)	MINUTE(FSH)
03/09/21	(H)	FSH AT 11:00 AM GRUENBERG 120
03/09/21	(H)	Moved CSHB 80(FSH) Out of Committee
03/09/21	(H)	MINUTE(FSH)
03/10/21	(H)	FSH RPT CS(FSH) NT 5DP 1NR 1AM
03/10/21	(H)	DP: VANCE, STUTES, KREISS-TOMKINS, STORY, TARR
03/10/21	(H)	NR: MCCABE
03/10/21	(H)	AM: ORTIZ
04/08/21	(H)	FIN AT 9:00 AM ADAMS 519
04/08/21	(H)	<Bill Hearing Canceled>
04/13/21	(H)	FIN AT 9:00 AM ADAMS 519
04/13/21	(H)	Heard & Held
04/13/21	(H)	MINUTE(FIN)
04/13/21	(H)	FIN AT 1:30 PM ADAMS 519
04/13/21	(H)	Heard & Held
04/13/21	(H)	MINUTE(FIN)
04/20/21	(H)	FIN AT 9:00 AM ADAMS 519
04/20/21	(H)	Heard & Held
04/20/21	(H)	MINUTE(FIN)
04/22/21	(H)	FIN AT 1:30 PM ADAMS 519
04/22/21	(H)	Moved CSHB 80(FSH) Out of Committee
04/22/21	(H)	MINUTE(FIN)
04/26/21	(H)	FIN RPT CS(FSH) NT 4DP 6NR
04/26/21	(H)	DP: LEBON, THOMPSON, JOHNSON, WOOL
04/26/21	(H)	NR: ORTIZ, CARPENTER, JOSEPHSON, RASMUSSEN, MERRICK, FOSTER
04/26/21	(S)	RES AT 3:30 PM BUTROVICH 205
04/26/21	(S)	<Bill Hearing Canceled>
05/07/21	(H)	FSH CS ADOPTED Y32 N4 E2 A2
05/07/21	(H)	TRANSMITTED TO (S)
05/07/21	(H)	VERSION: CSHB 80(FSH)
05/10/21	(S)	READ THE FIRST TIME - REFERRALS
05/10/21	(S)	RES
05/11/21	(S)	FIN REFERRAL ADDED AFTER RES
05/12/21	(S)	RES AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

REPRESENTATIVE SARA HANNAN
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 10.

TIMOTHY CLARK, Staff
Representative Sara Hannan
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions regarding HB 10.

RICKY GEASE, Director
Parks and Outdoor Recreation
Department of Natural Resources
Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding HB 10.

JOEL BENNET, Board Member
Friends of Admiralty Island
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 10.

MARTIN STEPETIN, Advocate
Friends of Admiralty Island
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 10.

ED KING, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 10.

REPRESENTATIVE DAN ORTIZ
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 41.

LIZ HARPOLD, Staff
Representative Dan Ortiz
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented an overview of HB 41.

RACHEL HANKE, Legislative Liaison
Alaska Department of Fish and Game
Juneau, Alaska

POSITION STATEMENT: Provided introductory remarks on HB 80 on behalf of the administration.

DOUGLAS VINCENT-LANG
Commissioner
Alaska Department of Fish and Game
Juneau, Alaska

POSITION STATEMENT: Answered questions and provided information about HB 80.

DIRK CRAFT, Staff
Senator Josh Revak
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an explanation of Amendment 1 for HB 80.

ACTION NARRATIVE

[3:45:04 PM](#)

CHAIR JOSHUA REVAK called the Senate Resources Standing Committee meeting to order at 3:45 p.m. Present at the call to order were Senators Kiehl, Kawasaki, Micciche, Stevens, and Chair Revak.

HB 10-FUNTER BAY MARINE PARK: UNANGAN CEMETERY

[3:45:57 PM](#)

CHAIR REVAK announced the consideration of HOUSE BILL NO. 10 "An Act relating to the Funter Bay marine park unit of the state park system; relating to protection of the social and historical significance of the Unangax cemetery located in Funter Bay; providing for the amendment of the management plan for the Funter Bay marine park unit; and providing for an effective date."

CHAIR REVAK noted that most of the committee heard the bill last year.

[3:46:18 PM](#)

REPRESENTATIVE SARA HANNAN, Alaska State Legislature, Juneau, Alaska, sponsor of HB 10, stated that the bill had not changed since the committee heard this bill during the previous legislature. She said she would go through a PowerPoint quickly to refresh members' recall of the bill that seeks to protect the Unangan Cemetery in Funter Bay for future generations. She explained that two hundred fifty one acres of state land would

be transferred, at no cost, from the Department of Natural Resources, Division of Mining, Land and Water to the Division of Parks and Recreation's existing Funter Bay State Marine Park. The cemetery, which is on a portion of this land, holds the remains of people who did not survive after they were relocated and interred in two relocation camps in Funter Bay during World War II. One of the camps was in an old mine and the other across the bay in an old canary. The cemetery is adjacent to the old canary. Funter Bay is located about 15 air miles from Juneau or 30 miles by water, which made for very isolated camps during WW II. The Funter Bay relocation camps were two of six such camps throughout Southeast Alaska and they were the deadliest.

3:49:09 PM

REPRESENTATIVE HANNAN directed attention to slide 4 and explained it is a map from DNR's management plan for the land in Funter Bay. The land shaded green reflects Tongass National Forest land, the 162 acres of existing Funter Bay State Marine Park is identified as A01, and the area identified as A02 is the acreage that would be added by HB 10. The map scale does not show the private land along much of the Funter Bay shoreline and the bill does not affect this private land. She highlighted that the Division of Mining, Land and Water advised it would be easiest to add all the A02 lands into the existing marine park to be managed by the Division of Parks and Recreation, otherwise it would leave DMLW with a fragment of land to manage that is surrounded by state marine park, private property, or national forest.

REPRESENTATIVE HANNAN displayed images of the remnants of an old bunkhouse on canary property that was used for housing, and the headstone of an 18 month old child who died at one of the Funter Bay camps. She noted the cemetery has received little maintenance since it was in active use starting 79 years ago. Replacement crosses were first erected in 2017 when descendants made a commemorative trip to Funter Bay. The exact number of graves in the cemetery is not clear, but a Park Service survey that looked at the historical significance of the site to determine whether it should receive federal protection identified 32 graves. She noted that some graves are unmarked and some were moved to other cemeteries by the families.

3:51:48 PM

SENATOR STEVENS asked where the people who were relocated to Funter Bay came from.

3:52:04 PM

REPRESENTATIVE HANNAN answered they came from the Pribilof Islands of St. Paul and St. George. They were the first of the removals that began in June 1942.

SENATOR MICCICHE mentioned the unsuccessful effort to get the bill through the process last year [before early adjournment due to COVID-19]. He said the committee investigated the mineralization potential of the land proposed for transfer and the Alaska Miners Association since then sent a letter stating:

There is no documented mineral occurrences on the land in question and access to existing mineral occurrences, patented claims and federal lands open to mineral entry are not unduly impacted.

He said the committee last year also evaluated the private landownership and he was aware this year that some urban legends had cropped up on this particular site. He asked, as a member of the public, if he would be able to enjoy access to the land designated A02 the same way as he can now without HB 10.

[3:53:57 PM](#)

REPRESENTATIVE HANNAN answered yes. The Funter Bay State Marine Park is rural and has no state-supported infrastructure. All hunting, harvesting, [and public access] activities are allowed.

[3:54:29 PM](#)

TIMOTHY CLARK, Staff, Representative Sara Hannan, Alaska State Legislature, Juneau, Alaska, added that the parcel that is proposed to be transferred has been managed for recreation for a number of years. "All the hunting, hiking, and fishing that has existed for decades in the bay, all the access will remain absolutely the same."

SENATOR MICCICHE asked for confirmation that the bill does not in any way change the use of this land.

REPRESENTATIVE HANNAN answered that is correct. The bill does not change the use of this land but it does provide park protection so it cannot be sold for development.

[3:55:56 PM](#)

SENATOR MICCICHE thanked her for clarifying that for the record.

CHAIR REVAK agreed the clarification was important.

[3:56:07 PM](#)

SENATOR KIEHL stated support for the bill, but asked for assurance that the bill does not cut off access to any private property in the vicinity of the cemetery.

REPRESENTATIVE HANNAN answered it does not, but the caveat is that this land is in the Unorganized Borough, and it is difficult to find plats. She offered her understanding that most of the private property is beachfront.

MR. CLARK suggested the committee might benefit from hearing from the director of state parks and/or the superintendent of state parks for Southeast.

CHAIR REVAK announced invited testimony.

[3:57:59 PM](#)

RICKY GEASE, Director, Parks and Outdoor Recreation, Department of Natural Resources, Anchorage, Alaska, stated that HB 10 does not cut off access to any private property in in the vicinity of the cemetery.

SENATOR MICCICHE asked him to reaffirm the answer to his question about whether the bill in any way restricts public access to the cemetery or other state marine park land or if it affects private landowners in the area either positively or negatively.

MR GEASE answered no, but the division would have enforcement powers if there was any vandalism on the state park land.

[3:59:36 PM](#)

CHAIR REVAK opened public testimony on HB 10.

[3:59:57 PM](#)

JOEL BENNET, Board Member, Friends of Admiralty Island, Juneau, Alaska, stated he resides in Juneau and owns property in Funter Bay that abuts the cemetery. He said he has no objection to HB 10, and he knows of no other landowners in the immediate vicinity that object to it either. He said deer hunting is a major recreational and subsistence activity on Admiralty Island and he is sure none of the landowners adjacent to the cemetery would support the bill if they thought it would restrict their deer hunting activities. He said he was familiar with the land that would be transferred to the marine park and most of it is low-lying vegetation with scrub spruce and hemlock that has no commercial timber value or potential for mineral development. He concluded that this legislation has been a priority for Friends

of Admiralty Island for several years. As a group they have promoted understanding of the injustices of the internment of the Pribilof Islanders in the relocation camps at Funter Bay.

4:03:09 PM

MARTIN STEPETIN, Advocate, Friends of Admiralty Island, Juneau, Alaska, stated he resides in Juneau but is from St. Paul Island. His maternal and paternal grandparents were relocated and interned in Funter Bay 79 years ago. His dad was born during that time. The relocation was said to be for protection of the Pribilof Islanders but reckless disregard and lack of planning by the military resulted in the deaths of 10 percent of the people who were relocated to Funter Bay. The headstones show the relocation was deadliest for the elderly and very young. He opined that failing to recognize this history increases the risk that similar atrocities could occur in the future. Protecting the cemetery at Funter Bay is a step in the right direction. It is squarely in the state's hands.

4:05:55 PM

ED KING, representing self, Juneau, Alaska, stated that he was working in the DNR commissioner's office when Mr. Stepetin brought the issue forward, so he is aware of the work that has gone into the bill. It recognizes an issue of historical significance that he wholeheartedly supports. He urged the committee to support HB 10 as well.

4:06:31 PM

CHAIR REVAK discerned no one else wished to comment and closed public testimony on HB 10.

4:6:46 PM

SENATOR STEVENS stated that the events that have been described occurred during World War II. The notion was to remove people from a war zone in the Pribilofs even though the war never went there. He agreed the federal government and military handled the evacuation and relocation recklessly. He also agreed with Mr. Stepetin that it is crucial to remember this history so it is not repeated.

4:07:37 PM

SENATOR MICCICHE commented on the importance of protecting sacred places, one of which is the Unangan Cemetery at Funter Bay. He said he is pleased that the cemetery enjoys volunteer caretakers but he looks forward to it being protected officially.

[4:08:24 PM](#)

CHAIR REVAK recalled supporting the legislation three years ago as a member of the other body, as a member of this committee last year, and again this year. He shared that he was honored to visit Unalaska during the 75th anniversary of the bombing of Dutch Harbor. Attending the ceremony were evacuees who were young at the time, World War II veterans, and a Japanese film crew. It was the most amazing healing event he had ever encountered. What he learned in Dutch Harbor makes him realize how important it is to recognize and protect the cemetery at Funtler Bay as a way and perhaps a place of healing.

He asked the will of the committee.

[4:09:30 PM](#)

SENATOR MICCICHE moved to report HB 10, work order 32-LS0096\A, from committee with individual recommendations and attached fiscal note(s).

[4:09:43 PM](#)

CHAIR REVAK found no objection and HB 10 was reported from the Senate Resources Standing Committee.

[4:09:57 PM](#)

At ease

HB 41-SHELLFISH PROJECTS; HATCHERIES; FEES

[4:11:04 PM](#)

CHAIR REVAK reconvened the meeting and announced the consideration of CS FOR HOUSE BILL NO. 41(FIN) "An Act relating to management of enhanced stocks of shellfish; authorizing certain nonprofit organizations to engage in shellfish enhancement projects; relating to application fees for salmon hatchery permits and shellfish enhancement project permits; relating to the marketing of aquatic farm products by the Alaska Seafood Marketing Institute; and providing for an effective date."

He noted the committee heard, took public testimony on and moved the companion bill, SB 64, from committee. He invited the sponsor and staff to walk through the differences between the two bills.

[4:12:00 PM](#)

REPRESENTATIVE DAN ORTIZ, Alaska State Legislature, Juneau, Alaska, sponsor of HB 41, confirmed the committee heard and passed the companion bill that Senator Stevens introduced, and

he hopes that will help in the speedy passage of HB 41. It provides the regulatory framework for the Alaska Department of Fish and Game (ADF&G) to permit and regulate shellfish enhancement projects for the benefit of the public. The bill allows the Alaska Seafood Marketing Institute (ASMI) to market aquatic farm products such as kelp and oysters.

He advised that the difference between HB 41 and the companion, SB 64, is the House bill will sunset the ASMI provisions on July 25, 2025. He said this well-vetted bill has wide support as evidenced by the supporting documents in the bill packets.

[4:13:15 PM](#)

SENATOR STEVENS stated support for the "brilliant" bill and noted his bill, SB 64, was sitting in the Rules Committee awaiting the arrival of HB 41, which will be the vehicle moving forward. He voiced support for the amendment to HB 41 that places a sunset on the ASMI provisions.

[4:13:56 PM](#)

CHAIR REVAK asked Ms. Harpold if she had any information to impart.

[4:14:14 PM](#)

LIZ HARPOLD, Staff, Representative Dan Ortiz, Alaska State Legislature, Juneau, Alaska, reviewed the differences between HB 41 and SB 64. As previously mentioned, HB 41 sunsets all ASMI related language on July 1, 2025. Doing this added three sections to the bill. Sections 8 and 10 are new and Section 21 is the effective date for the two new sections. The intent was to limit the time that ASMI can market aquatic farm products and incentivizes the Department of Revenue and ASMI to establish a feasible way for the industry to buy into marketing like Alaska commercial fisheries currently do. In the intervening time, grants and other non-state funds are available to cover marketing costs.

[4:15:14 PM,](#)

CHAIR REVAK found no questions or comments and asked the will of the committee.

[4:15:28 PM](#)

SENATOR MICCICHE moved to report the CS for HB 41, work order 32-LS0291\I, from committee with individual recommendations and attached fiscal note(s).

[4:15:49 PM](#)

CHAIR REVAK found no objection and CSHB 41(FIN) moved from the Senate Resources Standing Committee.

4:16:02 PM

At ease

HB 80-SPT FSH HATCHERY FACIL ACCT; SURCHARGE

4:18:03 PM

CHAIR REVAK reconvened the meeting and announced the consideration of CS FOR HOUSE BILL NO. 80(FSH) "An Act establishing the sport fishing enhancement account; establishing the sport fishing enhancement surcharge; and providing for an effective date."

He advised that the committee heard the companion bill, SB 60, on April 12 and public testimony was taken. He noted that HB 80 has a finance referral after it leaves this committee. He asked Commissioner Vincent-Lang and Ms. Hanke to discuss the differences between the two bills.

4:19:13 PM

RACHEL HANKE, Legislative Liaison, Alaska Department of Fish and Game, Juneau, Alaska, read the following changes from version A to version B for HB 80:

Page 1, lines 1-14 - In the previous version of the bill, the surcharge was allocated to "ongoing maintenance and operation of the department's sport fish hatchery facilities and sport fishing stock enhancement intended to directly benefit license purchasers." In version B, the allocation of the surcharge was split into two subsections (h)(1) and (h)(2).

- (h)(1) allocates \$2.50 of each surcharge towards fisheries management, fisheries research, invasive species suppression and eradication and habitat restoration.
- (h)(2) allocates the remainder of the surcharge to sport fishing stock enhancement and ongoing maintenance of the department's sport fishing hatchery facilities.

Page 2, line 24 through Page 3, line 1 - all surcharge prices were increased by \$2.50.

4:20:19 PM

DOUGLAS VINCENT-LANG, Commissioner, Alaska Department of Fish and Game, Juneau, stated the \$4 surcharge that was originally proposed was primarily meant to support hatchery operations in Southeast that went away with the sunset. HB 80 was amended to add \$2.50 to the surcharge, specifically for fisheries research, fisheries management, and invasive species. The department is also required to report periodically on how the money is spent. He highlighted that most of the fees would be paid by nonresidents.

4:21:27 PM

SENATOR MICCICHE noted the surcharge was a 60 percent increase. He asked what the vision was above the governor's that was largely status quo.

COMMISSIONER VINCENT-LANG answered he believes the committee felt there were people that would be paying the surcharge that would not directly benefit from hatchery programs. They saw this as an opportunity for the surcharge to go toward other non-hatchery-related activities, specifically fisheries management, fisheries research, and invasive species such as pike in lakes the department is stocking.

SENATOR MICCICHE asked if the administration supports the 60 percent increase of the \$4 surcharge.

COMMISSIONER VINCENT-LANG answered had not discussed the \$2.50 increase with the governor, but "from the discussions that I have had, I think we would consider that, yes."

4:23:16 PM

SENATOR MICCICHE commented, "So you don't know if the administration supports the increase above the \$4 increase."

COMMISSIONER VINCENT-LANG repeated he had not had that conversation with the governor. He added that his recommendation would be to support the additional increase.

4:23:38 PM

SENATOR STEVENS observed that invasive species was not mentioned in the original bill. He asked if there was other funding for invasive species.

4:23:50 PM

COMMISSIONER VINCENT-LANG replied the department is able to do invasive species work through the state wildlife action grants. There is no dedicated funding to match those grants, and this would provide a funding source.

SENATOR STEVENS asked if invasive species includes plants and fish. He asked him to identify the specific concerns.

[4:24:15 PM](#)

COMMISSIONER VINCENT-LANG answered the bill is written to add a surcharge on sport fishing licenses so the funds could only be used to benefit sport fisheries. Invasive species that do not affect sport fishing would not qualify.

[4:24:40 PM](#)

SENATOR KIEHL asked where most of the nonresident licenses are sold and if the cash from those sales will be used in that region or for a particular purpose.

COMMISSIONER VINCENT-LANG answered the \$4 hatchery piece of the surcharge would be used to fund operations for the Fairbanks and Anchorage state hatcheries and \$500,000 would also flow to fund operations in Southeast. The remaining \$2.50 surcharge would be spent on the highest needs statewide.

SENATOR MICCICHE recalled that the original surcharge was \$9 and HB 80 initially called for a \$4 surcharge but that was increased by \$2.50 during the committee process. He asked if his recollection was accurate.

COMMISSIONER VINCENT-LANG recounted that the original \$9 sport fishing license sunsetted. HB 80 was introduced and initially proposed a \$4 increase and a committee added \$2.50 so the increase is \$6.50, which results in \$3.50 savings.

[4:26:55 PM](#)

SENATOR MICCICHE calculated that the expected revenue change statewide would be \$1.5 million.

MS. HANKE confirmed that was the difference between the original version of the bill and this version.

[4:27:22 PM](#)

SENATOR KAWASAKI asked how the department will report to the legislature how much was spent on fisheries management, fisheries research, and invasive species/habitat restoration, and in what areas the funds were spent.

COMMISSIONER VINCENT-LANG explained the department will report to the legislature what was spent to fund the two hatcheries in Southeast as well as any capital outlays. The department will also report annually to the legislature the location and how much was spent for fisheries management, fisheries research, and invasive species/habitat restoration.

SENATOR MICCICHE asked if the bill had a wider reach than just for Southeast hatcheries.

COMMISSIONER VINCENT-LANG recounted that when the original bill with the surcharge passed, \$500,000 was subcontracted to the Crystal Lake and DIPAC hatcheries in Southeast Alaska because there were no state-owned hatcheries in the region, and it was not feasible to ship hatchery fish to Southeast from either of the state hatcheries in Anchorage and Fairbanks. When the surcharge sunset, the ability to subcontract also disappeared. When the decision was made to reinstitute the surcharge, it again included \$500,000 to support stock fisheries in Southeast that are important to sport fisheries.

4:29:34 PM

SENATOR MICCICHE asked how the original \$4 million would benefit sport fishing statewide.

COMMISSIONER VINCENT-LANG answered it will go to fund the operations of the Fairbanks and Anchorage hatcheries. He noted there are ongoing maintenance issues associated with both the hatcheries. Specifically, the complex water treatment facility at the Fairbanks hatchery will be replaced as necessary, and the Anchorage hatchery needs a new well. He said the hope is that funds from the surcharge will prevent the department from having to request more money in the capital budget for long-term maintenance associated with those two hatcheries.

SENATOR MICCICHE asked him to confirm that the Fairbanks and Anchorage hatcheries are hatching and rearing fish that are distributed throughout the Interior and Southcentral Alaska.

COMMISSIONER VINCENT-LANG clarified that the Anchorage and Fairbanks hatcheries produce fish for sport fishing, primarily for lake stocking throughout Interior and Southcentral Alaska. The \$500,000 that goes to the subcontracted hatcheries is used for the same purpose in Southeast Alaska.

CHAIR REVAK found no further questions or comments and announced the committee would consider amendments.

[4:31:37 PM](#)

CHAIR REVAK moved Amendment 1.

32-GH1609\B.10
Bullard
5/12/21

AMENDMENT 1

OFFERED IN THE SENATE
TO: CSHB 80 (FSH)

BY SENATOR REVAK

Page 1, line 7, following "fund.":

Insert "The department shall submit an annual report describing capital improvements and other projects funded by money in the account to the senate secretary and chief clerk of the house of representatives on or before the first day of each regular session of the legislature and shall notify the legislature that the report is available."

Page 1, lines 10 - 11:

Delete all material and insert:

"(1) \$5.00 of each surcharge collected to the construction and maintenance of capital improvements that directly support sport fishing access or sport fishing but may not be allocated under paragraph (2) of this subsection; and"

Page 2, line 24:

Delete "\$6.50"

Insert "\$9.00"

Page 2, line 25:

Delete "6.50"

Insert "9.00"

Page 2, line 26:

Delete "6.50"

Insert "9.00"

Page 2, line 27:

Delete "27.50"
Insert "30.00"

Page 2, line 28:
Delete "22.50"
Insert "25.00"

Page 2, line 29:
Delete "12.50"
Insert "15.00"

Page 2, line 30:
Delete "7.50"
Insert "10.00"

Page 2, line 31:
Delete "42.50"
Insert "45.00"

Page 3, line 1:
Delete "6.50"
Insert "9.00"

Page 3, following line 1:
Insert a new bill section to read:

"* **Sec. 4.** AS 37.05.146(c) is amended by adding a new paragraph to read:

(80) money in the sport fishing enhancement account within the fish and game fund (AS 16.05.130(h))."

Renumber the following bill section accordingly.

SENATOR STEVENS objected for discussion purposes.

[4:32:02 PM](#)

At ease

[4:32:13 PM](#)

CHAIR REVAK reconvened the meeting and asked Mr. Craft to explain Amendment 1.

[4:32:34 PM](#)

DIRK CRAFT, Staff, Senator Josh Revak, Alaska State Legislature, Juneau, Alaska, stated Amendment 1 adds a requirement for the department to report annually to the legislature the capital improvements and other projects that were funded by money in

this account. The second change replaces the language in paragraph (1) on page 1, lines 10-11. He read the new language that states, "\$5 of each surcharge collected to the construction and maintenance of capital improvements that directly support sport fishing access or sport fishing but may not be allocated under paragraph (2) of this subsection; and". He said the third and final change adds a new Section 4 that amends AS 37.05.146(c). The new paragraph reads, "(80) money in the sport fishing enhancement account within the fish and game fund (AS 16.05.130(h))."

[4:33:35 PM](#)

SENATOR KIEHL asked if the amendment effectively eliminates funding that might go to eradicate pike, Elodea or Milfoil.

MR. CRAFT replied the amendment seeks to narrow the language to benefit only sport fishing and the users who pay the surcharge.

[4:34:13 PM](#)

SENATOR KIEHL said he received the report and he understands that the amendment deletes money for fisheries management and fisheries research, but the question was whether it deletes money for invasive species.

MR. CRAFT replied the amendment removes the invasive species and habitat restoration language and he was not sure whether or not the funds could still be used for that purpose.

[4:35:09 PM](#)

SENATOR KAWASAKI offered his perspective that the amendment could be interpreted to allow the money to be spent more broadly.

MR. CLARK added that part of the concern was that without the amendment, the funds could be used for things unrelated to sport fishing.

[4:36:03 PM](#)

SENATOR STEVENS recalled that a bill he carried in 2000 raised the price of licenses for nonresidents and it was considered unconstitutional. He questioned whether HB 80 would face the same challenge.

MR. CRAFT deferred the question to the department.

[4:36:56 PM](#)

COMMISSIONER VINCENT-LANG said his interpretation of the amendment is that it would reinstate the surcharge that was assessed to pay off the hatchery bonds initially. He was not aware of any constitutional challenge to that surcharge.

[4:37:41 PM](#)

At ease

[4:41:19 PM](#)

CHAIR REVAK reconvened the meeting and asked if there were additional questions about Amendment 1.

[4:41:30 PM](#)

SENATOR KIEHL said he believes there is value in capital improvements for sport fishing access, but he was concerned with the changes the amendment would make. He explained, "We can put a great fishing dock on a lake, but if it's full of pike there's not much to catch in that lake; and if it's full of invasive weeds, there is nothing to catch in that lake."

CHAIR REVAK offered his perspective that the amendment was focused narrowly to apply only to this surcharge.

[4:42:26 PM](#)

At ease

[4:42:47 PM](#)

CHAIR REVAK reconvened the meeting and announced he would withdraw Amendment 1 and take it up with members of the next committee of referral.

He solicited a motion.

[4:43:25 PM](#)

SENATOR MICCICHE moved to report the CS for HB 80, work order 32-GH1609\B, from committee with individual recommendations and attached fiscal note(s).

[4:43:44 PM](#)

CHAIR REVAK found no objection and CSHB 80(FSH) was reported from the Senate Resources Standing Committee.

[4:44:18 PM](#)

There being no further business to come before the committee, Chair Revak adjourned the Senate Resources Standing Committee meeting at 4:44 p.m.